

REPORT OF THE COMMITTEE ON
ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 3, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 335, A bill to be entitled
"An Act to amend Chapter 314, Gen-
eral Laws of the State of Texas,
Forty-first Legislature, Regular Ses-
sion, as amended at the Second Called
Session thereof, so as to further regu-
late motor carriers transporting prop-
erty over the public highways, etc.,
and declaring an emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

REPORT OF THE COMMITTEE ON
ENROLLED BILLS.

Committee Room,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 736, "An Act making it
unlawful to hunt or kill any wild tur-
key or wild deer in Panola county for
a period of five years; fixing a pen-
alty, and declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 821, "An Act ratifying
and validating Buna Independent
School District, ratifying and validat-
ing the proceedings of the boards of
county school trustees of Jasper coun-
ty and Orange county, respectively, in
annexing territory thereto, ratifying
and validating the elections held in
Buna Independent School District and
Gum Slough Common School District,
annexing said Gum Slough Common
School District to Buna Independent
School District, ratifying and vali-
dating the petitions and actions there-
on by the board of trustees of Buna

Independent School District and also
by the board of county school trus-
tees of Orange county annexing terri-
tory, being portions of other Common
School Districts, to Buna Independent
School District, defining and describ-
ing Buna Independent School District
after such annexations, and declaring
an emergency,"

Have carefully compared same and
find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 851, "An Act to prohibit
the hunting, shooting or killing of
wild duck, wild geese, wild brant or
any other wild water fowl within Har-
rison and Marion counties from 12:00
o'clock noon of each day, until thirty
minutes before sunrise of the follow-
ing day; fixing penalty, and declaring
an emergency,"

Have carefully compared same and
find it correctly enrolled.

BOUNDS, Vice-Chairman.

THIRTY-EIGHTH DAY.

(Continued.)

(Tuesday, April 7, 1931.)

The House met at 9 o'clock a. m.,
and was called to order by Speaker
Minor.

HOUSE BILLS ON FIRST READ-
ING.

The following House bills, intro-
duced today (by unanimous con-
sent), were laid before the House,
read severally first time, and referred
to the appropriate committees, as
follows:

By Mr. Gilbert:

H. B. No. 1013, A bill to be entitled
"An Act making appropriations to
pay miscellaneous claims against the
Treasury Department, and authoriz-
ing payment of said claims on the
taking effect of this act, and declar-
ing an emergency."

Referred to Committee on Appro-
priations.

By Mrs. Rountree:

H. B. No. 1014, A bill to be entitled "An Act authorizing the Governor, on the recommendation of the State Highway Commission, to convey title to land acquired by the State for highway purposes where after the acquisition thereof such land is no longer needed for such purposes because of a change in the route of such highway, or the abandonment thereof; authorizing the Governor to exchange one right of way for another; requiring the Highway Commission to fix a fair and reasonable value of such land; providing for the return of land donated to the State; making it the duty of the Attorney General to pass on the validity of such transfers, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

HOUSE BILL NO. 770 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 770, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts of the Second Called Session, Forty-first Legislature, and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Lee pending.

Mr. Bond moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Satterwhite moved to reconsider the vote by which the main question was ordered, and the motion to reconsider prevailed.

Question then recurring on the motion for the main question, it was lost.

The amendment by Mr. Lee was then adopted.

Mr. Farmer offered the following amendment to the bill:

Amend House bill No. 770 by inserting after the words "such county" in the first part of line 25 on page 3 these words: "and the said amount allotted to such county shall be kept by such county treasurer as a trust fund for the payment of the interest and for the retirement of such pro rata part of the bonds declared to be the proportionate part used for the building of the State highways in that county, and said allotment shall be

used for no other purpose; and the said county treasurer shall pay out said amount for that purpose only. Should such county treasurer pay out such allotment, or any part thereof, for any other purpose, it shall be deemed to be a misapplication of public trust funds and punished as in such cases provided."

The amendment was adopted.

Mr. Satterwhite offered the following amendment to the bill:

Amend House bill No. 770 by striking out all below the enacting clause and substitute in lieu thereof the following:

"Section 1. The State having proclaimed it a responsibility of the State government to establish, control and maintain a State system of public highways, it is hereby declared the policy of the State to provide for the acquisition, ownership, establishment, construction and maintenance of all designated State highways from an independent source of income exclusive of the revenues of the State, derived from property taxes, adequate in amount for the purchase, establishment and maintenance of such designated State highways, and to pay an adequate and fair consideration for such designated State highways as have been heretofore acquired conditionally from the respective counties of this State and the defined road districts in the counties of this State; and to make such acquisitions of such designated State highways by the State, in law and in equity, certain and definite, and to provide for the advancement of construction of such highways at a rate reasonably responsive to the public necessity for increasing the highway facilities, and to provide for the efficient preservation of such highways when so purchased, established and constructed; and it is further declared as a policy that in the provision of such sources of income to the State highway funds for the purchase, acquisition, establishment, construction and maintenance of the system of designated State highways recognition be given the principle that the traffic using such highways should bear the cost of providing for the ownership, establishment and maintenance of such highways and traffic facilities and that property be relieved of the burden of this public improvement.

"Sec. 2. The Legislature having determined on a matter of fact that

the transfer of such roads, roadbeds, rights of way, bridges, culverts and other appurtenances to a highway belonging, by any county or defined road district of any county, in this State, now a part of the system of designated State highways or which will be a part of said system at the time of the taking effect of this act, constitutes a valuable consideration running to the State and for which the State is morally obligated to pay a fair and reasonable compensation out of the State highway funds derived from the gasoline tax or other fuel tax; it is hereby determined that a fair and adequate compensation for such roads as are, at the effective date of this act, a part of the system of designated State highways, is the amount of outstanding bonded indebtedness which such county or defined road district in any such county, respectively, is owing for money actually expended in the construction of the roads, roadbeds, rights of way, bridges and culverts constituting such part of the system of designated State highways acquired by law or so transferred to the State by any such county or defined road district of any county, less the amount of any accumulated sinking fund against any such bonded indebtedness; it being also determined that the use of such highways by such county and/or defined road districts, is equivalent to that portion of the cost of construction of such highway which has heretofore been paid in cash by such county or defined road district; and that the net value of any such highway for which the State highway funds should be used in the future to discharge is the amount of outstanding bonded indebtedness of such county or defined road district against such part of the system of designated State highways so acquired by or transferred to the State; such indebtedness being determined as hereinafter provided.

"Sec. 3. The State Comptroller of Public Accounts, the chairman of the State Highway Commission and the Attorney General of the State are hereby constituted a board of county and district road bond indebtedness, to ascertain from the records of the Highway Department and the records of the respective counties, and the records of the State Comptroller, the amount of the outstanding bonded indebtedness for roads of the counties and of the defined road districts in the different counties, the proceeds of

which bonded obligations have been expended in the construction of roads that are, at the effective date of this act, a part of the system of designated State highways, or which have at any time heretofore been designated as State highways by the Highway Commission. Whenever the proceeds of bonded obligations have been expended in part on designated State highways and in part on roads, not a part of the system of designated State highways, the said board shall determine that portion of said bonded indebtedness actually expended in the construction of designated State highways within the meaning of this act and only such portion so expended on designated State highways shall be considered in ascertaining the total amount of outstanding bonded indebtedness for redemption as provided in Section 4 hereof. A list shall be compiled by said board showing the amount so ascertained to be outstanding of road bonded indebtedness for each county and defined road district, and a copy thereof furnished to each county judge in this State.

"Sec. 4. Upon the determination of the amount of outstanding bonded indebtedness of the counties and of the defined road districts in the State issued and expended in the building of roads that are a part of the system of designated State highways, upon the effective date of this act, as provided in Section 3 hereof, the said Board shall certify to the State Treasurer the amount of the interest and sinking fund required to redeem all of the bonds evidencing such bonded indebtedness, less the amount of the sinking funds now accumulated in the respective counties and defined road districts, and the sum necessary to pay interest and principal maturing on said bonds for the fiscal years 1931 and 1932, and there is hereby appropriated out of the revenues derived from the tax on gasoline and other sources of income to such highway funds the sum of \$6,000,000 for the fiscal year beginning September 1st, 1931, and the sum of \$6,000,000 for the fiscal year beginning September 1st, 1932, or so much of said amounts as may be necessary to pay the interest and sinking fund required to be paid on such bonded indebtedness for said years, which may include maturities on any serial bonds during said years; and as payments of interest and principal become due upon any such bonds, including bonds with serial

maturities for said years, the State Comptroller of Public Accounts shall issue his warrant to the State Treasurer for the payment thereof. All said coupons and bonds paid under the provisions of this act when so paid shall be so cancelled and preserved by the State Treasurer for at least five years after such payments. If the sums hereby appropriated be insufficient to meet the required payments for said years on said bonded indebtednesses, then the amount appropriated herein shall be paid ratably on said indebtednesses. All amounts paid under the provisions of this act for any county or defined road district shall be immediately certified by the Treasurer to the county clerk of such county.

"Sec. 5. Expenses necessary to be incurred in the determination of the bonded indebtedness of the counties and defined road districts of the State in the construction of designated State highways, and in the discharge of the duties devolved for the payment of such bonded obligations, shall be paid from the State highway funds, upon approval of the said Board, by warrant of the State Comptroller.

"Sec. 6. If succeeding Legislatures shall carry out the policy herein defined by authorizing a similar appropriation of State highway funds, from time to time, then whenever the interest and principal necessary to retire the outstanding bonded indebtedness owing for designated State highways shall have been fully paid as herein provided, for any county or defined road district according to the provisions of this act, then and in that event the title and possession of all roads, roadbeds, rights of way, bridges and culverts in such county or defined road district which are included in the system of designated State highways, shall automatically vest in fee simple in the State of Texas, and in the event of any subsequent physical change therein such title and possession shall extend to any such change so made.

"Sec. 7. No provision of this act shall ever be so construed as to authorize the giving or lending of the credit of the State to any county or defined road district, or to pledge the credit of the State in any manner whatever for the payment of the outstanding road bond indebtedness

herein provided for. It is not the intent of the Legislature to assume the payment of any outstanding road indebtedness, but only to make provisions for the application of highway funds for the current two-year period to pay the interest on same, whether annual or semi-annual, and a sufficient amount of the principal, whether by serial maturities or sinking fund to retire said road bond indebtedness at the respective maturities thereof, which shall be paid annually out of State highway funds, in the event the policy herein declared shall be continued by succeeding Legislatures, so long as the special funds of the State Highway Commission, derived from the gasoline tax or other fuel tax, are available for such purposes, and only so long as the necessity for such payments continues to exist and succeeding Legislatures shall make provision therefor. It is not the intent of the Legislature to relieve any county or any defined road district of its present liability for the payment of its outstanding road bonded indebtedness or to impose upon the State any obligation to assume the payment thereof. Any contractual relation which may exist with the owner or holder of the present outstanding bonded indebtedness of any such county or defined road district shall not be in any manner disturbed or impaired. Any tax heretofore provided for to be levied in support of any present outstanding bonded indebtedness affected by the provisions of this act shall continue to be assessed, levied and collected as originally provided, lessened and reduced, however, by the payments made thereon and in behalf of such indebtedness out of the special highway funds as herein provided, for the current two-year period, and as succeeding Legislatures shall make provision therefor.

"Sec. 8. The fact that counties and defined road districts of this State should be compensated for the roads which have been taken by the State into the designated system of State highways, and that such compensation cannot be obtained without the passage of this act, and the lateness in the session and the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in both houses be sus-

pending, and such rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

STEVENSON,
SATTERWHITE,
FARRAR.

Mr. McCombs raised a point of order on further consideration of the amendment on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

(Pending consideration of the bill Mr. Murphy occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 770, by adding after the word "road," line 13, page 3, the following: "together with all payments made by the counties on bonds issued for the construction and improvement of such roads since July 1st, 1917," and amend said bill further by striking out the words "in the" at the end of line 14, page 3, and insert the following: "the amount of payments made by the counties on bonds issued for the construction and improvement of such roads since July 1st, 1917, and the," and amend said bill further by inserting after the word "the" in line 18, page 3, and after the word "total" in line 19, page 3, the following: "said payments and the."

(Pending consideration of the amendment, Mr. DeWolfe occupied the chair temporarily.)

(Speaker in the chair.)

Mr. DeWolfe moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Pope, it was lost.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 770 was then passed to engrossment by the following vote:

Yeas—79.

Adams of Harris.	Boyd.
Adkins.	Brice.
Akin.	Brooks.
Anderson.	Bryant.
Baker.	Burns of Walker.
Bounds.	Carpenter.

Claunch.	Kennedy.
Coltrin.	Laird.
Coombes.	Lasseter.
Cox of Lamar.	Lilley.
Cunningham.	Long.
Dale.	McGill.
Davis.	McGregor.
DeWolfe.	Mathis.
Dodd.	Moffett.
Donnell.	Moore.
Dwyer.	Pope.
Elliott.	Ratliff.
Farmer.	Ray.
Farrar.	Richardson.
Ferguson.	Rogers.
Finn.	Satterwhite.
Fisher.	Scott.
Forbes.	Shelton.
Fuchs.	Sherrill.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Graves.	Stephens.
Greathouse.	Stevenson.
Hanson.	Tarwater.
Hardy.	Terrell
Harman.	of Cherokee.
Hefley.	Vaughan.
Hines.	Veatch.
Hoskins.	Walker.
Jackson.	Westbrook.
Johnson of Morris.	Wiggs.
Jones of Shelby.	Wyatt.
Keller.	Young.

Nays—50.

Adams of Jasper.	Lee.
Adamson.	Lockhart.
Alsup.	McCombs.
Albritton.	McDougald.
Beck.	Magee.
Burns	Munson.
of McCulloch.	Murphy.
Caven.	Nicholson.
Cox of Limestone.	Olsen.
Dowell.	O'Quinn.
Duvall.	Patterson.
Engelhard.	Petsch.
Ford.	Reader.
Grogan.	Rountree.
Harrison	Sanders.
of El Paso.	Savage.
Hatchitt.	Steward.
Herzik.	Strong.
Hill.	Sullivant.
Holland.	Towery.
Howsley.	Van Zandt.
Hubbard.	Wagstaff.
Hughes.	Warwick.
Jones of Atascosa.	Weinert.
Johnson	West of Cameron.
of Dallam.	West of Coryell.
Johnson of Dimmit.	

Absent.

Barron.	Bond.
Bedford.	Bradley.

Daniel.	Leonard.
Dunlap.	Martin.
Harrison	Mehl.
of Waller.	Metcalf.
Holder.	Ramsey.
Justiss.	Terrell
Kayton.	of Val Verde.
Lemens.	Turner.

Absent—Excused.

Holloway. Morse.

MOTION TO TAKE UP HOUSE BILL NO. 770.

Mr. Brooks moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 770 be placed on its third reading and final passage.

The motion was lost, not receiving the necessary four-fifths votes, by the following vote:

Yeas—85.

Adams of Harris.	Hardy.
Adamson.	Harman.
Adkins.	Hefley.
Akin.	Hines.
Alsup.	Holder.
Baker.	Hoskins.
Bounds.	Howsley.
Boyd.	Jackson.
Brice.	Johnson of Morris.
Brooks.	Jones of Shelby.
Burns of Walker.	Keller.
Carpenter.	Kennedy.
Claunch.	Laird.
Coltrin.	Lilley.
Coombes.	Long.
Cox of Lamar.	McGill.
Cunningham.	McGregor.
Dale.	Mathis.
Daniel.	Metcalf.
Davis.	Moffett.
DeWolfe.	Moore.
Dodd.	Pope.
Donnell.	Ratliff.
Dowell.	Ray.
Dunlap.	Richardson.
Dwyer.	Rogers.
Elliott.	Satterwhite.
Farmer.	Scott.
Farrar.	Shelton.
Ferguson.	Sherrill.
Finn.	Smith of Bastrop.
Fisher.	Smith of Wood.
Forbes.	Sparkman.
Fuchs.	Stephens.
Gilbert.	Stevenson.
Giles.	Tarwater.
Goodman.	Terrell
Graves.	of Cherokee.
Greathouse.	Van Zandt.
Hanson.	Vaughan.

Veatch.	Wiggs.
Walker.	Wyatt.
Westbrook.	Young.

Nays—38.

Adams of Jasper.	Lockhart.
Albritton.	McCombs.
Beck.	McDougald.
Burns	Magee.
of McCulloch.	Munson.
Caven.	Nicholson.
Cox of Limestone.	Olsen.
Engelhard.	O'Quinn.
Ford.	Patterson.
Harrison	Petsch.
of El Paso.	Reader.
Hatchitt.	Rountree.
Herzik.	Savage.
Hill.	Steward.
Hubbard.	Sullivant.
Hughes.	Towery.
Johnson	Wagstaff.
of Dallam.	Warwick.
Johnson	Weinert.
of Dimmit.	West of Cameron.
Jones of Atascosa.	West of Coryell.

Present—Not Voting.

Grogan. Strong.

Absent.

Anderson.	Lasseter.
Barron.	Lee.
Bedford.	Lemens.
Bond.	Leonard.
Bradley.	Martin.
Bryant.	Mehl.
Duvall.	Murphy.
Harrison	Ramsey.
of Waller.	Sanders.
Holland.	Terrell
Justiss.	of Val Verde.
Kayton.	Turner.

Absent—Excused.

Holloway. Morse.

SPECIAL ORDER SET.

Mr. Moffett moved that House joint resolution No. 31 be set as a special order for 2 o'clock p. m. to-day.

Mr. Keller moved that the resolution be set as a special order for 9 o'clock a. m. next Friday.

Question first recurring on the motion by Mr. Keller, it was lost.

Question then recurring on the motion by Mr. Moffett, it prevailed by the following vote:

Yeas—97.

Adams of Jasper. Adamson.

Adkins.	Johnson
Akin.	of Dallam.
Albritton.	Johnson
Alsup.	of Dimmit.
Baker.	Johnson of Morris.
Bond.	Jones of Atascosa.
Bounds.	Jones of Shelby.
Boyd.	Kennedy.
Bradley.	Laird.
Bryant.	Lee.
Burns	Leonard.
of McCulloch.	Lilley.
Burns of Walker.	Lockhart.
Carpenter.	Long.
Caven.	McGregor.
Claunch.	Magee.
Coltrin.	Metcalf.
Cox of Limestone.	Moffett.
Cunningham.	Munson.
Dale.	Murphy.
Daniel.	Nicholson.
Davis.	Olsen.
DeWolfe.	Petsch.
Dodd.	Pope.
Donnell.	Ramsey.
Dowell.	Ratliff.
Elliott.	Ray.
Engelhard.	Richardson.
Farmer.	Rogers.
Farrar.	Satterwhite.
Fisher.	Shelton.
Forbes.	Sherrill.
Fuchs.	Smith of Bastrop.
Gilbert.	Sparkman.
Giles.	Stephens.
Goodman.	Stevenson.
Graves.	Steward.
Hanson.	Sullivant.
Hardy.	Tarwater.
Harman.	Terrell
Harrison	of Cherokee.
of El Paso.	Towery.
Harrison	Vaughan.
of Waller.	Walker.
Hatchitt.	Warwick.
Herzik.	Weinert.
Hines.	West of Cameron.
Hoskins.	West of Coryell.
Howsley.	Wiggs.
Jackson.	Wyatt.
	Young.

Nays—25.

Adams of Harris.	McCombs.
Anderson.	McDougald.
Coombes.	McGill.
Ferguson.	Mathis.
Finn.	O'Quinn.
Ford.	Patterson.
Greathouse.	Savage.
Hill.	Scott.
Holder.	Smith of Wood.
Holland.	Van Zandt.
Hughes.	Wagstaff.
Kayton.	Westbrook.
Keller.	

Absent.

Barron.	Lasseter.
Beck.	Lemens.
Bedford.	Martin.
Brice.	Mehl.
Brooks.	Moore.
Cox of Lamar.	Reader.
Dunlap.	Rountree.
Duvall.	Sanders.
Dwyer.	Strong.
Grogan.	Terrell
Hefley.	of Val Verde.
Hubbard.	Turner.
Justiss.	Veatch.

Absent—Excused.

Holloway. Morse.

HOUSE BILL NO. 355 ON SECOND READING.

On motion of Mr. Van Zandt (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 355, A bill to be entitled "An Act to amend Article 3914, Revised Civil Statutes, 1925, relating to fees collected by the Secretary of State, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Van Zandt offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 355 by striking out all below the enacting clause and substituting the following:

Section 1. That Article 3914, Revised Civil Statutes, 1925, be and the same is amended to read as follows:

Article 3914. The Secretary of State is authorized and required to charge for the use of the State the following other fees:

Upon filing each charter, amendment, or supplement thereto of a channel and dock, railroad, magnetic telegraph line, street railway or express corporation, a filing fee of two hundred dollars, provided, that if the authorized capital stock exceeds one hundred thousand dollars, an additional filing fee of fifty cents for each one thousand dollars authorized capital stock, or fractional part thereof, after the first one hundred thousand, shall be paid.

Upon filing each charter, amendment or supplement thereto of a corporation for the support of public worship, any benevolent, charitable, educational, missionary, literary or

scientific undertaking, the maintenance of a library, the promotion of a public cemetery not for profit, the encouragement of agriculture and horticulture, to aid its members in producing and marketing agricultural products, or for acquiring, raising, breeding, fattening or marketing live stock, a filing fee of ten dollars; and for filing the semi-annual financial statement of such agricultural products or livestock corporation, ten dollars, which shall include the annual license fee.

Upon filing each charter, amendment or supplement thereto, of a private corporation created for any other purpose intended for mutual profit or benefit, a filing fee of fifty dollars, provided that if the authorized capital stock of said corporation shall exceed ten thousand dollars it shall be required to pay an additional fee of ten dollars for each additional ten thousand dollars of its authorized capital stock or fractional part thereof after the first.

Upon obtaining a permit under Article 1529 and upon filing a certified copy of any amendment or supplement under Article 1537, each foreign corporation shall pay the following fees for the privilege of being admitted to do an intrastate business in this State: \$50 for the first \$10,000 of its issued capital stock employed in Texas, as hereinafter determined, and \$10 for each additional \$10,000 or fractional part thereof. The amount of the issued capital stock so taxable shall be that proportion of the whole thereof as the gross assets employed in whole or in part in intrastate business in Texas plus the gross receipts from intrastate Texas business bear to the entire assets and receipts of the corporation. In the case of a beginner corporation obtaining a permit to do business in Texas for the first time, where it has heretofore employed no capital stock in Texas, the basic filing fee of \$50 shall be paid as hereinabove provided and within ninety days after the expiration of the first year under its permit, the corporation shall file an affidavit with the Secretary of State executed by one of its executive officers, showing the amount of gross assets employed in whole or in part in intrastate business in Texas and the amount of its entire gross assets at the end of such first year with all other data required to calculate the fee, and at such time shall pay to the Secretary of State

the balance of the filing fee on the proportion of its issued capital stock, as hereinbefore determined, in excess of \$10,000 at the rate of \$10 for each additional \$10,000 or fractional part of such excess. If, during any year of the life of any such permit, additional capital stock is issued under an amendment increasing the capital stock, such corporation shall, within ninety days from the end of such permit year, file a similar affidavit and pay the balance of the filing fee on any such additional issued capital stock employed in Texas, as shown in such report in the same manner as provided herein for the payment on the excess in the case of a beginner corporation; provided that the minimum filing fee for any amendment or supplement shall be \$50. Where the assets employed in Texas are used jointly in intrastate or interstate business, only that proportion of the gross value thereof shall be used in calculating such fees as the intrastate Texas receipts bear to the interstate Texas receipts from the entire operation in Texas. The gross receipts in all cases shall be for the permit year preceding the date the fee is payable; provided that where no intrastate Texas business has been done for such period, then the ratio used shall be simply that of the Texas gross assets to the entire gross assets. Where such corporation has no capital stock, the amount of its net assets shall be used in the place of issued capital stock. Issued capital stock without par value shall be taken at the amount received for its issuance.

The maximum filing fee to be paid by any domestic or foreign corporation shall be \$2500.

For each commission to every officer elected or appointed in this State, one dollar.

For each official certificate, one dollar.

For each warrant of requisition, two dollars.

For every remission of fine or forfeiture, one dollar.

For copies of any paper, document or record in this office, fifty cents per legal size page.

For recording each contract for the conditional sale, lease or hire of railroad equipment and rolling stock, and for recording each declaration of performance of such contract, five dollars; and for entering such declaration on the margin of the record of such contract, one dollar.

For recording each certificate of consolidation of cities, and for recording each certificate of adoption of a city charter or amendment under the "Home Rule Act," fifty cents per legal size page; provided such fee shall not be less than two dollars.

Sec. 2. The provisions of this act are severable and if any section, provision, or part thereof be declared invalid, then it is hereby declared the legislative intent that the remaining part of this act would be enacted, notwithstanding such invalid parts.

Sec. 3. The fact that recent decisions of the Supreme Court of the United States seriously affect the validity of the existing fee tax payable by foreign corporations, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

(2)

Amend House bill No. 355 by striking out all above the enacting clause and substituting the following:

"An Act to amend Article 3914, Chapter 2, Title 61, Revised Civil Statutes of Texas, 1925, relating to fees collected by the Secretary of State, and providing for the collection of filing fees from foreign and domestic corporations and fixing a method of computing the same, and declaring an emergency."

The amendments were severally adopted.

House bill No. 355 was then passed to engrossment.

HOUSE BILL NO. 355 ON THIRD READING.

Mr. Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 355 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Adams of Harris.	Bounds.
Adams of Jasper.	Boyd.
Adamson.	Bradley.
Albritton.	Brice.
Alsup.	Brooks.
Baker.	Bryant.

Burns of Walker.	Kennedy.
Carpenter.	Laird.
Caven.	Lee.
Claunch.	Leonard.
Coltrin.	Lilley.
Coombes.	Lockhart.
Cox of Lamar.	Long.
Cox of Limestone.	McCombs.
Cunningham.	McDougald.
Dale.	McGill.
Daniel.	Magee.
DeWolfe.	Mathis.
Dodd.	Moore.
Donnell.	Munson.
Dowell.	Murphy.
Duvall.	Olsen.
Dwyer.	O'Quinn.
Engelhard.	Petsch.
Farmer.	Pope.
Ferguson.	Ramsey.
Finn.	Ratliff.
Fisher.	Ray.
Forbes.	Reader.
Ford.	Richardson.
Fuchs.	Rogers.
Gilbert.	Rountree.
Giles.	Sanders.
Goodman.	Scott.
Graves.	Shelton.
Greathouse.	Sherrill.
Grogan.	Smith of Bastrop.
Harman.	Smith of Wood.
Harrison	Sparkman.
of El Paso.	Stephens.
Harrison	Stevenson.
of Waller.	Sullivant.
Hatchitt.	Tarwater.
Herzik.	Terrell
Hill.	of Cherokee.
Holder.	Towery.
Hoskins.	Van Zandt.
Howsley.	Vaughan.
Hughes.	Veatch.
Jackson.	Wagstaff.
Johnson	Walker.
of Dimmit.	Warwick.
Johnson of Morris.	Weinert.
Jones of Atascosa.	West of Coryell.
Jones of Shelby.	Westbrook.
Kayton.	Young.
Keller.	

Nays—3.

Lasseter.

Absent.

Adkins.	Farrar.
Anderson.	Hanson.
Barron.	Hardy.
Beck.	Hefley.
Bedford.	Hines.
Burns	Holland.
of McCulloch.	Hubbard.
Davis.	Johnson
Dunlap.	of Dallam.
Elliott.	Justiss.

Lemens.	Savage.
McGregor.	Steward.
Martin.	Strong.
Mehl.	Terrell
Metcalf.	of Val Verde.
Moffett.	Turner.
Nicholson.	West of Cameron.
Patterson.	Wiggs.
Satterwhite.	Wyatt.

Absent—Excused.

Holloway. Morse.

The Speaker then laid House bill No. 355 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—116.

Adams of Harris.	Grogan.
Adams of Jasper.	Hanson.
Adamson.	Harrison
Adkins.	of El Paso.
Albritton.	Harrison
Alsup.	of Waller.
Baker.	Hatchitt.
Barron.	Herzik.
Beck.	Hill.
Bounds.	Hines.
Boyd.	Holder.
Bradley.	Hoskins.
Brice.	Howsley.
Bryant.	Hughes.
Burns of Walker.	Jackson.
Carpenter.	Johnson
Caven.	of Dimmit.
Claunch.	Johnson of Morris.
Coltrin.	Jones of Atascosa.
Coombes.	Jones of Shelby.
Cox of Lamar.	Kayton.
Cox of Limestone.	Keller.
Cunningham.	Kennedy.
Dale.	Laird.
Davis.	Lasseter.
DeWolfe.	Lee.
Dodd.	Leonard.
Donnell.	Lilley.
Dowell.	Long.
Duvall.	McCombs.
Dwyer.	McDougald.
Elliott.	McGill.
Engelhard.	Magee.
Farmer.	Mathis.
Ferguson.	Metcalf.
Finn.	Moore.
Fisher.	Munson.
Forbes.	Murphy.
Ford.	Olsen.
Fuchs.	O'Quinn.
Gilbert.	Patterson.
Giles.	Petsch.
Goodman.	Pope.
Graves.	Ramsey.
Greathouse.	Ratliff.

Ray.	Terrell
Reader.	of Cherokee.
Richardson.	Towery.
Rogers.	Van Zandt.
Rountree.	Vaughan.
Sanders.	Veatch.
Savage.	Wagstaff.
Scott.	Walker.
Shelton.	Warwick.
Smith of Bastrop.	Weinert.
Smith of Wood.	West of Cameron.
Sparkman.	West of Coryell.
Stephens.	Westbrook.
Stevenson.	Wiggs.
Sullivant.	Young.
Tarwater.	

Present—Not Voting.

Akin.

Absent.

Anderson.	Justiss.
Bedford.	Lemens.
Bond.	Lockhart.
Brooks.	McGregor.
Burns	Martin.
of McCulloch.	Mehl.
Daniel.	Moffett.
Dunlap.	Nicholson.
Farrar.	Satterwhite.
Hardy.	Sherrill.
Harman.	Steward.
Hefley.	Strong.
Holland.	Terrell
Hubbard.	of Val Verde.
Johnson	Turner.
of Dallam.	Wyatt.

Absent—Excused.

Holloway. Morse.

HOUSE BILL NO. 8, WITH SENATE AMENDMENTS.

Mr. Pope called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 8, A bill to be entitled "An Act providing that it shall be unlawful for any officer or employe of this State or any other person to build, construct, erect or maintain any building, structure, memorial or monument within the inclosure around the Capitol grounds in the city of Austin without the authority theretofore given by statute by the Legislature of the State of Texas, and prescribing a penalty, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Pope, the House concurred in the Senate amendments by the following vote:

Yeas—120.

Adams of Harris.	Holder.
Adams of Jasper.	Holland.
Adamson.	Hoskins.
Adkins.	Howsley.
Akin.	Hughes.
Albritton.	Jackson.
Alsup.	Johnson
Anderson.	of Dimmit.
Baker.	Johnson of Morris.
Barron.	Jones of Atascosa.
Beck.	Jones of Shelby.
Bond.	Kayton.
Bounds.	Keller.
Boyd.	Kennedy.
Bradley.	Laird.
Brice.	Lasseter.
Brooks.	Lee.
Bryant.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Burns of Walker.	Long.
Carpenter.	McCombs.
Caven.	McDougald.
Claunch.	McGill.
Coltrin.	Magee.
Cox of Lamar.	Mathis.
Cox of Limestone.	Metcalfe.
Cunningham.	Moore.
Dale.	Munson.
Davis.	Murphy.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dowell.	Patterson.
Duvall.	Pope.
Dwyer.	Ramsey.
Elliott.	Ratliff.
Engelhard.	Ray.
Farmer.	Reader.
Ferguson.	Richardson.
Finn.	Rogers.
Fisher.	Rountree.
Forbes.	Savage.
Ford.	Scott.
Fuchs.	Sherrill.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Graves.	Stephens.
Greathouse.	Stevenson.
Grogan.	Sullivant.
Hanson.	Tarwater.
Hardy.	Terrell
Harman.	of Cherokee.
Harrison	Towery.
of El Paso.	Vaughan.
Harrison	Veatch.
of Waller.	Wagstaff.
Hatchitt.	Walker.
Herzik.	Warwick.
Hill.	Weinert.
Hines.	West of Coryell.

Westbrook.
Wiggs.

Young.

Absent.

Bedford.	Moffett.
Coombes.	Nicholson.
Daniel.	Petsch.
DeWolfe.	Sanders.
Dunlap.	Satterwhite.
Farrar.	Shelton.
Hefley.	Steward.
Hubbard.	Strong.
Johnson	Terrell
of Dallam.	of Val Verde.
Justiss.	Turner.
Lemens.	Van Zandt.
McGregor.	West of Cameron.
Martin.	Wyatt.
Mehl.	

Absent—Excused.

Holloway. Morse.

HOUSE BILL NO. 981, WITH SENATE AMENDMENTS.

Mr. Pope called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 981, A bill to be entitled "An Act to empower cities having a population of not less than twenty-seven thousand (27,000) nor more than twenty-eight thousand (28,000) inhabitants, as shown by the preceding Federal census, to encumber any one or more of its gas, water, light or sewer systems, the income thereof and everything pertaining thereto or any part thereof, and by the terms of such encumbrance to grant to the purchaser under any sale or foreclosure under such encumbrance a franchise to operate said encumbered system or systems for not over twenty years after such purchase, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Pope, the House concurred in the Senate amendments by the following vote:

Yeas—125.

Adams of Harris.	Bond.
Adams of Jasper.	Bounds.
Adamson.	Boyd.
Adkins.	Bradley.
Akin.	Brice.
Albritton.	Brooks.
Alsup.	Bryant.
Anderson.	Burns
Baker.	of McCulloch.
Barron.	Burns of Walker.
Beck.	Carpenter.

Caven.	Keller.
Claunch.	Kennedy.
Coltrin.	Laird.
Coombes.	Lasseter.
Cox of Lamar.	Lee.
Cox of Limestone.	Leonard.
Cunningham.	Lilley.
Dale.	Lockhart.
Davis.	Long.
DeWolfe.	McCombs.
Dodd.	McDougald.
Donnell.	McGill.
Dowell.	Magee.
Dunlap.	Mathis.
Duvall.	Moore.
Dwyer.	Munson.
Elliott.	Murphy.
Engelhard.	Olsen.
Farmer.	O'Quinn.
Ferguson.	Patterson.
Finn.	Petsch.
Fisher.	Pope.
Forbes.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Gilbert.	Reader.
Giles.	Richardson.
Goodman.	Rogers.
Graves.	Rountree.
Greathouse.	Savage.
Grogan.	Scott.
Hanson.	Shelton.
Hardy.	Sherrill.
Harman.	Smith of Bastrop.
Harrison	Smith of Wood.
of El Paso.	Sparkman.
Harrison	Stephens.
of Waller.	Stevenson.
Hatchitt.	Sullivant.
Herzik.	Tarwater.
Hill.	Terrell
Hines.	of Cherokee.
Holder.	Towery.
Holland.	Van Zandt.
Hoskins.	Vaughan.
Howsley.	Veatch.
Hughes.	Wagstaff.
Jackson.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Johnson of Morris.	West of Coryell.
Jones of Atascosa.	Westbrook.
Jones of Shelby.	Wiggs.
Kayton.	Young.

Absent.

Bedford.	Martin.
Daniel.	Mehl.
Farrar.	Metcalfe.
Hefley.	Moffett.
Hubbard.	Nicholson.
Johnson	Sanders.
of Dallam.	Satterwhite.
Justiss.	Steward.
Lemens.	Strong.
McGregor.	

Terrell	West of Cameron.
of Val Verde.	Wyatt.
Turner.	

Absent—Excused.

Holloway.	Morse.
-----------	--------

HOUSE BILL NO. 912 ON SECOND READING.

On motion of Mr. Patterson (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 912, A bill to be entitled "An Act providing for the extension of the benefits of Senate bill No. 310, passed by the Regular Session of the Forty-second Legislature, to persons who have previously made leases and for the refunding to them the money heretofore paid, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Patterson offered the following (committee) amendment to the bill:

Amend House bill No. 912 by adding the following after words "State of Texas" in line 7 or the original bill: "since the date of the decision of the Supreme Court in the case of Green vs. Robison in June, 1928."

The amendment was adopted.

Mr. Patterson offered the following amendment to the bill:

Amend House bill No. 912, page 1, Section 1, line 4, of the original bill, by adding after the word "half" the following: "or any part," and in line 5, after the word "lease" the following: "or any part of an annual rental in excess of ten cents (10c) an acre."

The amendment was adopted.

Mr. Wagstaff offered the following amendment to the bill:

Amend House bill No. 912 by adding the following at the end of Section 1: "provided, nothing herein shall be construed to refund any moneys paid under any judgment between the State of Texas and any land owners."

WAGSTAFF,
JOHNSON of Dimmit.

The amendment was adopted.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 368, "An Act to amend Article 2592 of the Revised Civil Statutes of Texas of 1925."

HOUSE BILL NO. 1002 ON SECOND READING.

On motion of Mr. Johnson of Dimmit (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 1002, A bill to be entitled "An Act to amend Articles 1757 and 1846 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Johnson of Dimmit offered the following amendment to the bill:

Amend House bill No. 1002 by striking out of lines 14 and 15, page 1, printed bill, the following words: "taken to the Supreme Court or in any case pending in the Supreme Court," and insert in lieu thereof the following: "appealed to the Court of Civil Appeals and/or taken to the Supreme Court."

The amendment was adopted.

House bill No. 1002 was then passed to engrossment.

HOUSE BILL NO. 1002 ON THIRD READING.

Mr. Johnson of Dimmit moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 1002 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Adams of Harris.	Davis.
Adams of Jasper.	DeWolfe.
Adkins.	Dodd.
Akin.	Dowell.
Alsup.	Elliott.
Anderson.	Engelhard.
Baker.	Farmer.
Barron.	Ferguson.
Beck.	Finn.
Bond.	Fisher.
Bounds.	Forbes.
Boyd.	Ford.
Brice.	Gilbert.
Bryant.	Giles.
Burns of Walker.	Goodman.
Carpenter.	Graves.
Claunch.	Greathouse.
Coltrin.	Hardy.
Coombes.	Harrison
Cox of Lamar.	of Waller.
Cox of Limestone.	Hatchitt.
Cunningham.	Herzik.
Dale.	Holder.

Holland.	Nicholson.
Hoskins.	Olsen.
Hughes.	O'Quinn.
Jackson.	Patterson.
Johnson	Petsch.
of Dallam.	Pope.
Johnson	Ratliff.
of Dimmit.	Ray.
Johnson of Morris.	Reader.
Jones of Atascosa.	Rogers.
Jones of Shelby.	Rountree.
Justiss.	Sanders.
Kayton.	Shelton.
Keller.	Sherrill.
Laird.	Smith of Bastrop.
Lee.	Sparkman.
Lemens.	Stephens.
Leonard.	Steward.
Lilley.	Strong.
Lockhart.	Sullivant.
Long.	Terrell
McCombs.	of Cherokee.
McDougald.	Vaughan.
McGill.	Veatch.
Magee.	Wagstaff.
Metcalf.	Walker.
Moffett.	Warwick.
Moore.	Weinert.
Munson.	Young.
Murphy.	

Nays—2.

Howsley.	Lasseter.
----------	-----------

Absent.

Adamson.	Kennedy.
Albritton.	McGregor.
Bedford.	Martin.
Bradley.	Mathis.
Brooks.	Mehl.
Burns	Ramsey.
of McCulloch.	Richardson.
Caven.	Satterwhite.
Daniel.	Savage.
Donnell.	Scott.
Dunlap.	Smith of Wood.
Duvall.	Stevenson.
Dwyer.	Tarwater.
Farrar.	Terrell
Fuchs.	of Val Verde.
Grogan.	Towery.
Hanson.	Turner.
Harman.	Van Zandt.
Harrison	West of Cameron.
of El Paso.	West of Coryell.
Hefley.	Westbrook.
Hill.	Wiggs.
Hines.	Wyatt.
Hubbard.	

Absent—Excused.

Holloway.	Morse.
-----------	--------

The Speaker then laid House bill No. 1002 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—107.

Adams of Harris.	Johnson
Adams of Jasper.	of Dimmit.
Adamson.	Johnson of Morris.
Adkins.	Jones of Atascosa.
Alsup.	Jones of Shelby.
Baker.	Justiss.
Barron.	Keller.
Beck.	Kennedy.
Bond.	Laird.
Bounds.	Lasseter.
Boyd.	Lee.
Bradley.	Lemens.
Brice.	Leonard.
Brooks.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	Long.
Carpenter.	McCombs.
Claunch.	McDougald.
Coltrin.	McGill.
Coombes.	Magee.
Cox of Lamar.	Mathis.
Cox of Limestone.	Moffett.
Dale.	Moore.
Davis.	Munson.
DeWolfe.	Murphy.
Dodd.	Nicholson.
Donnell.	Olsen.
Dowell.	O'Quinn.
Dunlap.	Petsch.
Elliott.	Pope.
Engelhard.	Ratliff.
Farmer.	Ray.
Ferguson.	Rogers.
Finn.	Rountree.
Fisher.	Sanders.
Forbes.	Satterwhite.
Ford.	Shelton.
Fuchs.	Sherrill.
Gilbert.	Smith of Bastrop.
Giles.	Sparkman.
Goodman.	Stephens.
Graves.	Steward.
Greathouse.	Strong.
Hardy.	Sullivant.
Harrison	Tarwater.
of El Paso.	Terrell
Harrison	of Cherokee.
of Waller.	Vaughan.
Hatchitt.	Veatch.
Herzik.	Wagstaff.
Holder.	Walker.
Holland.	Warwick.
Howsley.	Weinert.
Hughes.	West of Cameron.
Jackson.	Young.
Johnson	
of Dallam.	

Absent.

Akin.	Anderson.
Albritton.	Bedford.

Burns	Mehl.
of McCulloch.	Metcalfe.
Caven.	Patterson.
Cunningham.	Ramsey.
Daniel.	Reader.
Duvall.	Richardson.
Dwyer.	Savage.
Farrar.	Scott.
Grogan.	Smith of Wood.
Hanson.	Stevenson.
Harman.	Terrell
Hefley.	of Val Verde.
Hill.	Towery.
Hines.	Turner.
Hoskins.	Van Zandt.
Hubbard.	West of Coryell.
Kayton.	Westbrook.
McGregor.	Wiggs.
Martin.	Wyatt.

Absent—Excused.

Holloway.	Morse.
-----------	--------

RECESS.

On motion of Mr. Young, the House at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 912 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 912, relative to re-funding money in regard to certain leases, the bill having heretofore been read second time.

Mr. Long offered the following amendment to the bill:

Amend House bill No. 912 by striking out the enacting clause.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—84.

Adams of Jasper.	Boyd.
Adamson.	Bradley.
Adkins.	Brice.
Akin.	Brooks.
Alsup.	Bryant.
Baker.	Burns of Walker.
Barron.	Carpenter.
Bond.	Claunch.
Bounds.	Coltrin.

Cox of Lamar.	Kennedy.
Cox of Limestone.	Laird.
Cunningham.	Lasseter.
Davis.	Lilley.
DeWolfe.	Lockhart.
Dodd.	Long.
Dowell.	Magee.
Dwyer.	Mathis.
Elliott.	Moore.
Farmer.	Munson.
Farrar.	Murphy.
Ferguson.	Olsen.
Finn.	O'Quinn.
Fisher.	Petsch.
Ford.	Ramsey.
Fuchs.	Ray.
Gilbert.	Rogers.
Giles.	Rountree.
Goodman.	Sanders.
Graves.	Shelton.
Grogan.	Sherrill.
Hanson.	Smith of Bastrop.
Harman.	Smith of Wood.
Harrison	Sparkman.
of Waller.	Strong.
Herzik.	Tarwater.
Hines.	Terrell
Hughes.	of Cherokee.
Jackson.	Towery.
Johnson of Morris.	Vaughan.
Jones of Atascosa.	Walker.
Jones of Shelby.	West of Cameron.
Justiss.	Westbrook.
Kayton.	Wyatt.

Nays—28.

Albritton.	Keller.
Beck.	McGill.
Caven.	Mehl.
Coombes.	Patterson.
Dale.	Pope.
Engelhard.	Ratliff.
Forbes.	Reader.
Greathouse.	Satterwhite.
Hardy.	Savage.
Harrison	Steward.
of El Paso.	Sullivant.
Hatchitt.	Terrell
Hill.	of Val Verde.
Howsley.	Wagstaff.
Johnson	Young.
of Dimmit.	

Present—Not Voting.

Veatch.

Absent.

Adams of Harris.	Duvall.
Anderson.	Hefley.
Bedford.	Holder.
Burns	Holland.
of McCulloch.	Hoskins.
Daniel.	Hubbard.
Donnell.	Johnson
Dunlap.	of Dallam.

Lee.	Richardson.
Lemens.	Scott.
Leonard.	Stephens.
McCombs.	Stevenson.
McDougald.	Turner.
McGregor.	Van Zandt.
Martin.	Warwick.
Metcalfe.	Weinert.
Moffett.	West of Coryell.
Nicholson.	Wiggs.

Absent—Excused.

Holloway.

Morse.

Mr. Vaughan moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 31 ON THIRD READING.

The Speaker laid before the House, as a special order for this hour, on its third reading and final passage,

H. J. R. No. 31, Proposing an amendment to Section 26 of Article 3 of the Constitution of Texas, by adding thereto Section 26a, providing that under no apportionment shall any county be entitled to more than five Representatives unless the population of such county shall exceed 500,000 people; providing for the apportionment in counties of more than 500,000 people; providing for its submission to the voters as required by the Constitution, and making an appropriation therefor.

The resolution was read third time.

Mr. Moffett offered the following amendment to the resolution:

Amend House joint resolution No. 31, page 2, by inserting the word "hundred" between the word "five" and the word "thousand," in line 8.

The amendment was adopted.

Mr. DeWolfe moved a call of the House for the purpose of maintaining a quorum pending consideration of House joint resolution No. 31, and the call was duly ordered.

The Speaker then directed the Doorkeeper to lock the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. DeWolfe, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll of the House was called, and a quorum was announced present.

Mr. Anderson moved the previous question on the pending resolution, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—56.

Adamson.	Jones of Atascosa.
Adkins.	Justiss.
Albritton.	Kayton.
Alsup.	Keller.
Anderson.	Lee.
Baker.	Lockhart.
Barron.	Mathis.
Bounds.	Mehl.
Bradley.	Moore.
Brice.	Olsen.
Carpenter.	O'Quinn.
Caven.	Patterson.
Coombes.	Reader.
Cox of Limestone.	Richardson.
Dale.	Satterwhite.
Davis.	Savage.
Dwyer.	Shelton.
Elliott.	Smith of Bastrop.
Farrar.	Smith of Wood.
Fisher.	Sparkman.
Ford.	Terrell
Giles.	of Cherokee.
Graves.	Terrell
Hanson.	of Val Verde.
Harrison	Towery.
of Waller.	Veatch.
Hill.	Wagstaff.
Hines.	Westbrook.
Hughes.	Wyatt.
Jackson.	

Nays—54.

Adams of Jasper.	Fuchs.
Akin.	Gilbert.
Bond.	Goodman.
Boyd.	Grogan.
Bryant.	Hardy.
Burns	Hatchitt.
of McCulloch.	Herzik.
Burns of Walker.	Hoskins.
Claunch.	Howsley.
Coltrin.	Johnson
Cox of Lamar.	of Dallam.
Cunningham.	Johnson
DeWolfe.	of Dimmit.
Dodd.	Johnson of Morris.
Dowell.	Jones of Shelby.
Engelhard.	Kennedy.
Farmer.	Laird.
Ferguson.	Lasseter.
Forbes.	Lilley.

Magee.
Moffett.
Munson.
Petsch.
Pope.
Ramsey.
Ratliff.
Ray.
Rogers.
Rountree.

Sherrill.
Stephens.
Steward.
Strong.
Tarwater.
Vaughan.
Walker.
Weinert.
Young.

Absent.

Adams of Harris.	Long.
Beck.	McCombs.
Bedford.	McDougald.
Brooks.	McGill.
Daniel.	McGregor.
Donnell.	Martin.
Dunlap.	Metcalfe.
Duvall.	Murphy.
Finn.	Nicholson.
Greathouse.	Sanders.
Harman.	Scott.
Harrison	Stevenson.
of El Paso.	Sullivant.
Hefley.	Turner.
Holder.	Van Zandt.
Holland.	Warwick.
Hubbard.	West of Cameron.
Lemens.	West of Coryell.
Leonard.	Wiggs.

Absent—Excused.

Holloway. Morse.

Mr. Shelton moved to reconsider the vote by which the previous question was ordered.

Mr. Anderson moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—32.

Anderson.	Jackson.
Baker.	Jones of Atascosa.
Beck.	Kayton.
Bounds.	Keller.
Bradley.	McGill.
Carpenter.	Magee.
Coombes.	Mathis.
Cox of Limestone.	Mehl.
Dwyer.	O'Quinn.
Fisher.	Patterson.
Ford.	Reader.
Harrison	Savage.
of Waller.	Smith of Wood.
Hatchitt.	Terrell
Hill.	of Cherokee.
Holland.	Wagstaff.
Hughes.	Weinert.

Nays—88.

Adams of Jasper. Adamson.

Adkins.	Jones of Shelby.
Akin.	Justiss.
Albritton.	Kennedy.
Barron.	Laird.
Bond.	Lasseter.
Boyd.	Lee.
Brice.	Leonard.
Bryant.	Lilley.
Burns	Lockhart.
of McCulloch.	Metcalf.
Burns of Walker.	Moffett.
Caven.	Moore.
Claunch.	Munson.
Coltrin.	Murphy.
Cox of Lamar.	Olsen.
Cunningham.	Petsch.
Dale.	Pope.
Davis.	Ramsey.
DeWolfe.	Ratliff.
Dodd.	Ray.
Donnell.	Richardson.
Dowell.	Rogers.
Elliott.	Rountree.
Engelhard.	Sanders.
Farmer.	Shelton.
Farrar.	Sherrill.
Ferguson.	Smith of Bastrop.
Finn.	Sparkman.
Forbes.	Stephens.
Fuchs.	Stevenson.
Gilbert.	Steward.
Giles.	Strong.
Goodman.	Sullivant.
Graves.	Tarwater.
Grogan.	Terrell
Hanson.	of Val Verde.
Hardy.	Towery.
Harrison	Vaughan.
of El Paso.	Veatch.
Hines.	Walker.
Hoskins.	West of Cameron.
Howsley.	West of Coryell.
Johnson	Westbrook.
of Dallam.	Wyatt.
Johnson of Morris.	Young.

Absent.

Adams of Harris.	Lemens.
Alsup.	Long.
Bedford.	McCombs.
Brooks.	McDougald.
Daniel.	McGregor.
Dunlap.	Martin.
Duvall.	Nicholson.
Greathouse.	Satterwhite.
Harman.	Scott.
Hefley.	Turner.
Herzik.	Van Zandt.
Holder.	Warwick.
Hubbard.	Wiggs.
Johnson	
of Dimmit.	

Absent—Excused.

Holloway.	Morse.
-----------	--------

Question then recurring on the motion to reconsider the vote by which the main question was ordered, it prevailed by the following vote:

Yeas—93.

Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson
Akin.	of Dimmit.
Albritton.	Johnson of Morris.
Alsup.	Jones of Shelby.
Barron.	Justiss.
Bond.	Kennedy.
Bounds.	Laird.
Boyd.	Lasseter.
Brice.	Lee.
Brooks.	Leonard.
Bryant.	Lilley.
Burns	Lockhart.
of McCulloch.	Metcalf.
Burns of Walker.	Moffett.
Caven.	Moore.
Claunch.	Munson.
Coltrin.	Murphy.
Cox of Lamar.	Olsen.
Cunningham.	O'Quinn.
Dale.	Petsch.
Davis.	Pope.
DeWolfe.	Ramsey.
Dodd.	Ratliff.
Donnell.	Rogers.
Dowell.	Rountree.
Elliott.	Sanders.
Engelhard.	Shelton.
Farmer.	Sherrill.
Farrar.	Smith of Bastrop.
Ferguson.	Sparkman.
Finn.	Stephens.
Forbes.	Stevenson.
Fuchs.	Steward.
Gilbert.	Strong.
Giles.	Sullivant.
Goodman.	Tarwater.
Graves.	Terrell
Grogan.	of Cherokee.
Hanson.	Terrell
Hardy.	of Val Verde.
Harrison	Towery.
of El Paso.	Vaughan.
Herzik.	Walker.
Hines.	Weinert.
Hoskins.	West of Coryell.
Howsley.	Westbrook.
Hubbard.	Wyatt.
	Young.

Nays—29.

Anderson.	Fisher.
Baker.	Ford.
Beck.	Hatchitt.
Bradley.	Hill.
Carpenter.	Holland.
Coombes.	Hughes.
Cox of Limestone.	Jackson.
Dwyer.	Jones of Atascosa.

Kayton.	Reader.
Keller.	Richardson.
McGill.	Savage.
Mathis.	Smith of Wood.
Mehl.	Wagstaff.
Patterson.	West of Cameron.
Ray.	

Present—Not Voting.

Harrison of Waller.

Absent.

Adams of Harris.	McDougald.
Bedford.	McGregor.
Daniel.	Magee.
Dunlap.	Martin.
Duvall.	Nicholson.
Greathouse.	Satterwhite.
Harman.	Scott.
Hefley.	Turner.
Holder.	Van Zandt.
Lemens.	Veatch.
Long.	Warwick.
McCombs.	Wiggs.

Absent—Excused.

Holloway. Morse.

Question then recurring on the motion for the main question, it was lost.

(Pending consideration of the resolution, Mr. Howsley occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Anderson moved the previous question on the pending resolution, and the main question was ordered.

Question—Shall House joint resolution No. 31 be passed?

House joint resolution No. 31 then failed to pass by the following vote:

Yeas—96.

Adams of Jasper.	Dale.
Adamson.	Davis.
Adkins.	DeWolfe.
Akin.	Dodd.
Alsup.	Donnell.
Barron.	Dowell.
Bond.	Elliott.
Bounds.	Farrar.
Boyd.	Ferguson.
Brice.	Finn.
Bryant.	Forbes.
Burns.	Fuchs.
of McCulloch.	Gilbert.
Burns of Walker.	Giles.
Carpenter.	Goodman.
Caven.	Graves.
Claunch.	Grogan.
Coltrin.	Hanson.
Cunningham.	Hardy.

Harman.	Petsch.
Harrison	Pope.
of El Paso.	Ramsey.
Hefley.	Ratliff.
Herzik.	Ray.
Hines.	Richardson.
Holloway.	Rogers.
Hoskins.	Rountree.
Howsley.	Sanders.
Hubbard.	Satterwhite.
Johnson	Shelton.
of Dimmit.	Sherrill.
Johnson of Morris.	Smith of Bastrop.
Jones of Atascosa.	Smith of Wood.
Jones of Shelby.	Sparkman.
Justiss.	Stephens.
Kennedy.	Stevenson.
Laird.	Strong.
Lasseter.	Sullivant.
Lee.	Tarwater.
Leonard.	Terrell
Lilley.	of Cherokee.
Lockhart.	Towery.
Long.	Vaughan.
Magee.	Walker.
Metcalf.	Weinert.
Moffett.	West of Cameron.
Munson.	West of Coryell.
Murphy.	Westbrook.
Olsen.	Wiggs.
O'Quinn.	Wyatt.

Nays—26.

Anderson.	Holland.
Baker.	Hughes.
Beck.	Jackson.
Coombes.	Kayton.
Cox of Lamar.	Keller.
Dwyer.	McGill.
Engelhard.	Mathis.
Farmer.	Mehl.
Ford.	Moore.
Greathouse.	Nicholson.
Harrison	Reader.
of Waller.	Savage.
Hatchitt.	Wagstaff.
Hill.	

Present—Not Voting.

Albritton.	Terrell
Brooks.	of Val Verde.
Cox of Limestone.	Veatch.
Johnson	Young.
of Dallam.	

Absent.

Adams of Harris.	McDougald.
Bedford.	McGregor.
Bradley.	Martin.
Daniel.	Patterson.
Dunlap.	Scott.
Duvall.	Steward.
Fisher.	Turner.
Holder.	Van Zandt.
Lemens.	Warwick.
McCombs.	

Absent—Excused.

Morse.

Paired.

Mr. Brooks (present), who would vote "aye" with Mr. Duvall (absent), who would vote "nay."

Mr. Cox of Limestone (present), who would vote "aye," with Mr. McCombs (absent), who would vote "nay."

Mr. Johnson of Dallam (present), who would vote "aye," with Mr. Holder (absent), who would vote "nay."

Mr. Young (present), who would vote "yea," with Mr. Morse, (absent), who would vote "nay."

Mr. Beck moved to reconsider the vote by which the resolution failed to pass, and ask to have the motion to reconsider spread on the Journal.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted Free Conference Committee report on House bill No. 368, by vote of 30 ayes, 0 nays.

The Senate has passed

H. B. No. 834, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and declaring an emergency," with amendments.

S. B. No. 153, A bill to be entitled "An Act amending Article 287 of the Penal Code of the State of Texas of 1925, as amended by Chapter 139 of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to repeal that portion of the State law prohibiting the operation of moving picture shows and theaters on Sunday in this State in any incorporated city or town after one p. m., empowering the city council or city commissioners of such cities or towns by proper ordinance to prohibit or regulate the keeping open or showing of such moving picture shows or theaters on Sunday; providing that should any part or portion of this act be declared unconstitutional by a court of the last resort in this State, it shall not af-

fect the remainder of the act, and declaring an emergency."

S. B. No. 268, A bill to be entitled "An Act defining certain offenses; providing for penalties; defining terms used in this act; providing for the repeal of conflicting statutes; providing for the separability of the provisions of this act; enacting all necessary provisions incidental to the general purpose of the act, and declaring an emergency."

S. B. No. 333, A bill to be entitled "An Act providing a more efficient road law for Falls county, Texas, authorizing the commissioners court of Falls county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to February 1, 1931, and to levy a tax in payment thereof supplementing other special road laws applicable to said county in harmony with the provisions hereof, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 557, A bill to be entitled "An Act providing that it shall not be unlawful to kill or take squirrels in Parker county, Texas, any time during the year; and declaring an emergency."

S. B. No. 420, A bill to be entitled "An Act to amend Chapter 10, of the Revised Civil Statutes of Texas, of 1925, by enacting a new article to be known as 4905A, providing for the regulation of insurance against loss by lightning or tornado or windstorm or hail, and of the rates to be collected in this State for such insurance, by the State Board of Insurance Commissioners, in the same manner and to the same extent as is now provided by law with respect to the writing of fire insurance and the rates of such insurance, and declaring an emergency."

S. B. No. 483, A bill to be entitled "An Act to create a temporary commission to inquire into and report upon the number, distribution, and condition of crippled children and physically disabled persons throughout the State, to recommend means more adequately to meet their needs, and making an appropriation therefor, and declaring an emergency."

S. B. No. 505, A bill to be entitled "An Act to amend Chapter 234, Local and Special Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, same being a special road law for Stonewall coun-

ty, by adding thereto Section 1a, authorizing the commissioners court of Stonewall county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid, and declaring an emergency."

S. B. No. 548, A bill to be entitled "An Act providing that fees in felony cases payable by the State shall be limited to three cases against the same defendant; repealing conflicting laws, and declaring an emergency."

S. B. No. 585, A bill to be entitled "An Act creating the Board of Mansion Supervisors, and declaring an emergency."

S. B. No. 578, A bill to be entitled "An Act to amend Article 591 of Chapter 2 of Title 8, of the Code of Criminal Procedure of Texas, Revision of 1925, as amended by Chapter 41 of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, and declaring an emergency."

S. B. No. 528, A bill to be entitled "An Act amending Article 827 of the Penal Code of the State of Texas, Revised Criminal Statutes of 1925, so as to require street railways and motor busses in cities of not less than 40,000 inhabitants to carry all school children for one-half the fare regularly collected for the transportation of adults, and declaring an emergency."

S. B. No. 307, A bill to be entitled "An Act to amend Chapter 101, Local and Special Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, same being a special road law for Cottle county, by adding thereto Section 2a, authorizing the commissioners court of Cottle county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners

court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid, and declaring an emergency."

S. B. No. 188, A bill to be entitled "An Act to create the One Hundred and Twenty-second Judicial District of Texas and to designate the counties constituting said district, and fixing the time for holding court therein, etc., and declaring an emergency."

S. B. No. 196, A bill to be entitled "An Act making an appropriation for the re-roofing, repairing and equipping of the old Land Office building, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 981, "An Act to empower cities having a population of not less than twenty-seven thousand (27,000) nor more than twenty-eight thousand (28,000) inhabitants, as shown by the preceding Federal census, to encumber any one or more of its gas, water, light or sewer systems, the income thereof and everything pertaining thereto, or any part thereof, and by the terms of such encumbrance to grant to the purchaser under any sale or foreclosure under such encumbrance a franchise to operate said encumbered system or systems for not over twenty years after such purchase, etc., and declaring an emergency."

H. B. No. 8, "An Act providing that it shall be unlawful for any officer or employe of this State, or any other person, to build, construct, erect or maintain any building, structure, memorial or monument within the inclosure around the Capitol grounds in the city of Austin without the authority theretofore given by statute by the Legislature of the State of Texas, and prescribing a penalty, and declaring an emergency."

H. B. No. 294, "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5 of the Acts of

the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being House bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8 of the Acts of the Third Called Session of the Forty-first Legislature, Senate bill No. 22, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include in said article the counties of Carson and Oldham, and declaring an emergency."

SPECIAL ORDER SET.

On motion of Mr. Beck, House joint resolution No. 25 was set as a special order for 4:30 o'clock p. m. today.

HOUSE BILL NO. 834, WITH SENATE AMENDMENTS.

Mr. Dale called up from the Speaker's table, with Senate amendments, for consideration of the amendments, H. B. No. 834, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Dale, the House concurred in the Senate amendments by the following vote:

Yeas—106.

Adams of Jasper.	Cunningham.
Adamson.	Dale.
Akin.	Davis.
Alsup.	DeWolfe.
Baker.	Donnell.
Barron.	Dowell.
Beck.	Dwyer.
Bond.	Elliot.
Bounds.	Engelhard.
Boyd.	Farmer.
Bradley.	Farrar.
Brice.	Ferguson.
Brooks.	Finn.
Bryant.	Forbes.
Burns.	Ford.
of McCulloch.	Gilbert.
Claunch.	Giles.
Coltrin.	Goodman.
Coombes.	Greathouse.
Cox of Lamar.	Grogan.
Cox of Limestone.	Hanson.

Hardy.	Olsen.
Harrison	O'Quinn.
of El Paso.	Patterson.
Hatchitt.	Petsch.
Herzik.	Pope.
Hill.	Ramsey.
Hines.	Ratliff.
Holland.	Ray.
Hoskins.	Richardson.
Howsiey.	Rogers.
Hughes.	Sanders.
Jackson.	Satterwhite.
Johnson	Savage.
of Dallam.	Scott.
Johnson	Smith of Bastrop.
of Dimmit.	Smith of Wood.
Jones of Atascosa.	Sparkman.
Jones of Shelby.	Stephens.
Justiss.	Strong.
Keller.	Sullivant.
Kennedy.	Tarwater.
Laird.	Terrell
Lee.	of Cherokee.
Leonard.	Terrell
Lilley.	of Val Verde.
Lockhart.	Towery.
Long.	Veatch.
McGill.	Wagstaff.
Magee.	Walker.
Mathis.	Weinert.
Mehl.	West of Coryell.
Metcalfe.	Westbrook.
Moore.	Wiggs.
Munson.	Wyatt.
Murphy.	Young.

Nays—3.

Dodd.	Lasseter.
Graves.	

Absent.

Adams of Harris.	Kayton.
Adkins.	Lemens.
Albritton.	McCombs.
Anderson.	McDougald.
Bedford.	McGregor.
Burns of Walker.	Martin.
Carpenter.	Moffett.
Caven.	Nicholson.
Daniel.	Reader.
Dunlap.	Rountree.
Duvall.	Shelton.
Fisher.	Sherrill.
Fuchs.	Stevenson.
Harman.	Steward.
Harrison	Turner.
of Waller.	Van Zandt.
Hefley.	Vaughan.
Holder.	Warwick.
Hubbard.	West of Cameron.
Johnson of Morris.	

Absent—Excused.

Holloway.	Morse.
-----------	--------

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. DeWolfe, House bill No. 979 was ordered not printed.

On motion of Mr. Farrar, House bill No. 572 was ordered not printed.

NOTICES GIVEN.

Mr. Burns of McCulloch gave notice that he would, on next Friday, move to take up, for consideration at that time, House bill No. 625, which bill had heretofore been laid on the table subject to call.

Mr. Metcalfe gave notice that he would, on next Friday, move to take up, for consideration at that time, House bill No. 15, which bill had heretofore been laid on the table subject to call.

HOUSE BILL NO. 415 ON SECOND READING.

On motion of Mr. Finn, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 415, A bill to be entitled "An Act amending Article 6673, Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than two hundred (200) population shall be changed without the consent of the commissioners court of the county wherein said town or city is situated, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Finn offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 415, by adding in line 9, Section 1, after the word "made" the following:

"Nothing in this act shall prevent the re-routing of a State highway through such a town where it is necessary to avoid railway crossings, but in such event the commissioners court shall be authorized to require the old routing through the town upon paying one-half the cost of necessary under-passes or over-passes upon the original routing."

(2)

Amend the caption to conform to the changes made in amendment No. 1.

The amendments were severally adopted.

Mr. Davis offered the following amendment to the bill:

Amend House bill No. 415, by striking out all below the enacting clause and substitute the following for House bill No. 415, to-wit:

Section 1. Whenever any existing location of any State highway in or through any city or town of 200 inhabitants or more is changed by the Highway Commission, on which existing highway county or road district funds have been used in its construction or improvement, then the Highway Commission is directed to maintain that portion of such highway in said city or town as may be changed, if requested to do so by the county commissioners court of said county; or the Highway Commission may designate and construct a highway from such new location to the improved or business section of such city or town adequate to the needs and situation of the people of such city or town as may be mutually agreed upon by the Highway Commission and the commissioners court of said county to the end that local trade centers and the people tributary thereto may be served by the system of State highways.

Sec. 2. The fact that there is now no statute governing the matter of the change of location in existing highways to safeguard the interests of localities, towns and cities, creates an emergency and an imperative public necessity that the rule requiring that bills be read on three several days be and the same is hereby suspended, and this act shall take effect from and after its passage, and it is so enacted.

DAVIS,
HUBBARD,
BECK,
PETSCH,
HOWSLEY,
MURPHY,
JOHNSON of Dimmit.

(Mr. Young in the chair.)

Mr. Beck moved the previous question on the pending amendment and the bill, and the main question was ordered.

(Speaker in the chair.)

Question recurring on the amendment by Mr. Davis, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—25.

Beck.	Lee.
Carpenter.	McGill.
Coombes.	Magee.
Cox of Limestone.	Mathis.
Davis.	Munson.
Engelhard.	Murphy.
Hatchitt.	Nicholson.
Hill.	O'Quinn.
Howsley.	Patterson.
Hubbard.	Petsch.
Johnson	Steward.
of Dimmit.	Vaughan.
Kayton.	West of Coryell.

Nays—84.

Adams of Jasper.	Holloway.
Adamson.	Hoskins.
Adkins.	Hughes.
Akin.	Jackson.
Albritton.	Johnson of Morris.
Alsup.	Jones of Atascosa.
Baker.	Jones of Shelby.
Bond.	Justiss.
Bounds.	Kennedy.
Boyd.	Laird.
Bradley.	Lasseter.
Brice.	Lemens.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Claunch.	Martin.
Coltrin.	Moffett.
Cox of Lamar.	Moore.
Cunningham.	Olsen.
Dale.	Pope.
Dodd.	Ramsey.
Donnell.	Ratliff.
Dunlap.	Ray.
Elliott.	Reader.
Farmer.	Richardson.
Farrar.	Rogers.
Ferguson.	Satterwhite.
Finn.	Savage.
Forbes.	Scott.
Ford.	Sherrill.
Fuchs.	Smith of Bastrop.
Gilbert.	Smith of Wood.
Giles.	Sparkman.
Goodman.	Stephens.
Graves.	Terrell
Greathouse.	of Cherokee.
Grogan.	Towery.
Hanson.	Van Zandt.
Hardy.	Veatch.
Harman.	Wagstaff.
Harrison	Walker.
of Waller.	West of Cameron.
Herzik.	Westbrook.
Hines.	Young.

Absent.

Adams of Harris.	Leonard.
Anderson.	Long.
Barron.	McCombs.
Bedford.	McDougald.
Brooks.	McGregor.
Burns	Mehl.
of McCulloch.	Metcalfe.
Caven.	Rountree.
Daniel.	Sanders.
DeWolfe.	Shelton.
Dowell.	Stevenson.
Duvall.	Strong.
Dwyer.	Sullivant.
Fisher.	Tarwater.
Harrison	Terrell
of El Paso.	of Val Verde.
Hefley.	Turner.
Holder.	Warwick.
Holland.	Weinert.
Johnson	Wiggs.
of Dallam.	Wyatt.
Keller.	

Absent—Excused.

Morse.

House bill No. 415 was then passed to engrossment.

HOUSE BILL NO. 415 ON THIRD READING.

Mr. Finn moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 415 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Adams of Jasper.	Elliott.
Adamson.	Farmer.
Adkins.	Farrar.
Akin.	Finn.
Albritton.	Forbes.
Alsup.	Ford.
Baker.	Fuchs.
Beck.	Gilbert.
Bond.	Giles.
Bounds.	Goodman.
Boyd.	Graves.
Bradley.	Greathouse.
Brice.	Grogan.
Bryant.	Hanson.
Burns of Walker.	Hardy.
Claunch.	Harman.
Coltrin.	Harrison
Cox of Lamar.	of Waller.
Cunningham.	Hatchitt.
Dale.	Herzik.
Davis.	Hines.
Dodd.	Holloway.
Donnell.	Hoskins.
Dunlap.	Howsley.

Hughes.	Ratliff.
Jackson.	Ray.
Johnson	Reader.
of Dallam.	Richardson.
Jones of Atascosa.	Rogers.
Jones of Shelby.	Satterwhite.
Justiss.	Scott.
Kayton.	Sherrill.
Kennedy.	Smith of Bastrop.
Laird.	Smith of Wood.
Lasseter.	Sparkman.
Lemens.	Stephens.
Lilley.	Strong.
Lockhart.	Tarwater.
Long.	Terrell
Martin.	of Cherokee.
Moffett.	Towery.
Moore.	Van Zandt.
Murphy.	Vaughan.
Nicholson.	Veatch.
Olsen.	Wagstaff.
O'Quinn.	Walker.
Petsch.	Westbrook.
Pope.	Wyatt.
Ramsey.	Young.

Nays—13.

Carpenter.	McGill.
Coombes.	Magee.
Cox of Limestone.	Munson.
Engelhard.	Steward.
Hill.	West of Cameron.
Hubbard.	West of Coryell.
Johnson	
of Dimmit.	

Absent.

Adams of Harris.	Lee.
Anderson.	Leonard.
Barron.	McCombs.
Redford.	McDougald.
Brooks.	McGregor.
Burns	Mathis.
of McCulloch.	Mehl.
Caven.	Metcalfe.
Daniel.	Patterson.
DeWolfe.	Rountree.
Dowell.	Sanders.
Duvall.	Savage.
Dwyer.	Shelton.
Ferguson.	Stevenson.
Fisher.	Sullivant.
Harrison	Terrell
of El Paso.	of Val Verde.
Hefley.	Turner.
Holder.	Warwick.
Holland.	Weinert.
Johnson of Morris.	Wiggs.
Keller.	

Absent—Excused.

Morse.

The Speaker then laid House bill No. 415 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—92.

Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson of Morris.
Akin.	Jones of Atascosa.
Albritton.	Jones of Shelby.
Alsup.	Justiss.
Baker.	Kennedy.
Bond.	Laird.
Bounds.	Lasseter.
Boyd.	Lemens.
Bradley.	Lilley.
Brice.	Lockhart.
Bryant.	Long.
Burns of Walker.	Martin.
Caven.	Moffett.
Claunch.	Moore.
Coltrin.	Olsen.
Cox of Lamar.	Pope.
Cunningham.	Ramsey.
Davis.	Ratliff.
Dodd.	Ray.
Donnell.	Reader.
Dowell.	Richardson.
Dunlap.	Rogers.
Elliott.	Rountree.
Farmer.	Satterwhite.
Farrar.	Scott.
Finn.	Sherrill.
Forbes.	Smith of Bastrop.
Ford.	Smith of Wood.
Fuchs.	Sparkman.
Gilbert.	Stephens.
Giles.	Stevenson.
Goodman.	Strong.
Graves.	Sullivant.
Greathouse.	Tarwater.
Grogan.	Terrell
Hanson.	of Cherokee.
Hardy.	Towery.
Harman.	Van Zandt.
Harrison	Vaughan.
of Waller.	Veatch.
Herzik.	Wagstaff.
Holloway.	Walker.
Hoskins.	Westbrook.
Hubbard.	Wyatt.
Hughes.	Young.
Jackson.	

Nays—22.

Beck.	McGill.
Carpenter.	Magee.
Coombes.	Munson.
Cox of Limestone.	Murphy.
Engelhard.	Nicholson.
Hatchitt.	Patterson.
Hill.	Petsch.
Howsley.	Savage.
Johnson	Steward.
of Dimmit.	West of Cameron.
Kayton.	West of Coryell.
Lee.	

Present—Not Voting.

O'Quinn.

Absent.

Adams of Harris.	Holder.
Anderson.	Holland.
Barron.	Keller.
Bedford.	Leonard.
Brooks.	McCombs.
Burns	McDougald.
of McCulloch.	McGregor.
Dale.	Mathis.
Daniel.	Mehl.
DeWolfe.	Metcalf.
Duvall.	Sanders.
Dwyer.	Shelton.
Ferguson.	Terrell
Fisher.	of Val Verde.
Harrison	Turner.
of El Paso.	Warwick.
Hefley.	Weinert.
Hines.	Wiggs.

Absent—Excused.

Morse.

HOUSE BILL NO. 100 ON SECOND
READING.

On motion of Mrs. Strong (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 100, A bill to be entitled "An Act to qualify certain consolidated school districts to receive bonuses and transportation aid under the provisions of the rural aid law for the 1929-31 biennium; authorizing and directing the State Superintendent of Public Instruction to pay such aid out of the current State aid appropriation, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mrs. Strong offered the following amendment to the bill:

Amend House bill No. 100 by striking out all above and below the enacting clause and insert in lieu thereof the following: A bill to be entitled "An Act to qualify certain consolidated school districts to receive bonuses for consolidation and transportation aid; authorizing and directing the State Board of Education to pay such bonus and aid out of the rural aid appropriation for the current biennium or any such funds as may be appropriated for the first year of the biennium 1931-33, providing saving clause, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That all consolidated school districts formed since September 1, 1927, which have, through some technicality or otherwise, been denied the benefits of the bonus for consolidation provided for by the rural aid law of the biennium or bienniums in which said consolidations were made, and which have, through such consolidations, met the spirit and purpose of the law or laws by building up through consolidation the type of school contemplated by the rural aid law in the section providing for such bonus for consolidation or consolidations were affected on the same basis of distribution as other consolidated districts which have received this aid, are hereby authorized to make application to the State Board of Education for such bonus. The State Board of Education is hereby authorized and directed to receive applications for the bonus provided for herein and where such applications meet the provisions of this act, in the opinion of the Board, to pay over to such districts as may apply the amount each is entitled to receive out of any unexpended funds in the rural aid appropriation for the present biennium; provided, however, that if there is an insufficient amount in the rural aid appropriation for the current biennium to meet these obligations in full, such amounts as have not been paid from current funds shall be paid out of any rural aid appropriation that may be provided for the first year of the 1931-33 biennium.

Sec. 2. All consolidated school districts in this State coming within the provisions of Section 1 hereof shall be entitled to the transportation aid provided for under the rural aid act for the biennium 1929-31, and the State Board of Education is hereby authorized and directed to pay to any district coming within the provisions of this act, out of the current rural aid appropriation, the respective amounts each of said districts would otherwise have been entitled to receive under the provisions of the rural aid appropriation, less any amount of such aid as any district may have heretofore received for this purpose out of said rural aid appropriation; provided, if there should not be sufficient funds in the current rural aid appropriation to meet these obligations in full, any amount unpaid shall be paid from any rural aid

appropriation provided for the first year of the 1931-33 biennium.

Sec. 3. The State Board of Education is authorized by the provisions of this act to waive the technical requirements of the Rural Aid Act of the Forty-first Legislature in any other respects affecting the distribution of the rural aid funds.

Sec. 4. If any section, or part of section, or if one or more sections of this act are declared to be unconstitutional, such shall not affect the constitutionality of the remaining parts hereof.

Sec. 5. The crowded condition of the calendar, and the fact that certain consolidated school districts are in dire need and many are facing a financial crisis on account of not having received the aid provided for herein, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

House bill No. 100 was then passed to engrossment.

HOUSE BILL NO. 100 ON THIRD READING.

Mrs. Strong moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 100 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Adams of Jasper.	Claunch.
Adamson.	Coltrin.
Adkins.	Coombes.
Akin.	Cox of Lamar.
Albritton.	Cox of Limestone.
Alsup.	Cunningham.
Baker.	Dale.
Barron.	Daniel.
Beck.	Davis.
Bond.	Dodd.
Bounds.	Donnell.
Boyd.	Dowell.
Bradley.	Dunlap.
Brice.	Duvall.
Bryant.	Dwyer.
Burns of Walker.	Elliott.
Carpenter.	Farmer.
Caven.	Farrar.

Finn.	Mathis.
Forbes.	Murphy.
Ford.	Olsen.
Gilbert.	O'Quinn.
Giles.	Patterson.
Goodman.	Petsch.
Graves.	Pope.
Greathouse.	Ramsey.
Grogan.	Ratliff.
Hanson.	Ray.
Hardy.	Reader.
Harman.	Richardson.
Harrison	Rogers.
of Waller.	Rountree.
Hatchitt.	Sanders.
Hill.	Satterwhite.
Hines.	Savage.
Holloway.	Scott.
Hoskins.	Sherrill.
Howsley.	Smith of Bastrop.
Hubbard.	Smith of Wood.
Hughes.	Sparkman.
Jackson.	Stephens.
Johnson	Stevenson.
of Dimmit.	Steward.
Johnson of Morris.	Strong.
Jones of Atascosa.	Sullivant.
Jones of Shelby.	Tarwater.
Justiss.	Terrell
Kennedy.	of Cherokee.
Laird.	Towery.
Lasseter.	Vaughan.
Lee.	Veatch.
Lemens.	Wagstaff.
Lilley.	Walker.
Lockhart.	Weinert.
Long.	West of Cameron.
McGill.	Westbrook.
Magee.	Wyatt.
Martin.	Young.

Absent.

Adams of Harris.	Keller.
Anderson.	Leonard.
Bedford.	McCombs.
Brooks.	McDougald.
Burns	McGregor.
of McCulloch.	Mehl.
DeWolfe.	Metcalfe.
Engelhard.	Moffett.
Ferguson.	Moore.
Fisher.	Munson.
Fuchs.	Nicholson.
Harrison	Shelton.
of El Paso.	Terrell
Hefley.	of Val Verde.
Herzik.	Turner.
Holder.	Van Zandt.
Holland.	Warwick.
Johnson	West of Coryell.
of Dallam.	Wiggs.
Kayton.	

Absent—Excused.

Morse.

The Speaker then laid House bill No. 100 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110.

Adams of Jasper.	Johnson of Morris.
Adamson.	Jones of Atascosa.
Adkins.	Jones of Shelby.
Akin.	Justiss.
Albritton.	Kennedy.
Alsup.	Laird.
Baker.	Lee.
Barron.	Lemens.
Beck.	Lilley.
Bond.	Lockhart.
Bounds.	Long.
Boyd.	McGill.
Brice.	Magee.
Bryant.	Martin.
Burns of Walker.	Mathis.
Carpenter.	Moffett.
Claunch.	Moore.
Coltrin.	Munson.
Coombes.	Murphy.
Cox of Lamar.	Olsen.
Cox of Limestone.	O'Quinn.
Cunningham.	Patterson.
Dale.	Pope.
Davis.	Ramsey.
Dodd.	Ratliff.
Donnell.	Ray.
Dowell.	Reader.
Dunlap.	Richardson.
Duvall.	Rogers.
Elliott.	Rountree.
Farmer.	Sanders.
Ferguson.	Satterwhite.
Finn.	Savage.
Forbes.	Scott.
Ford.	Sherrill.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Graves.	Stephens.
Greathouse.	Stevenson.
Grogan.	Steward.
Hanson.	Strong.
Harman.	Sullivant.
Harrison	Tarwater.
of Waller.	Terrell
Hatchitt.	of Cherokee.
Hill.	Towery.
Hines.	Van Zandt.
Holloway.	Vaughan.
Hoskins.	Veatch.
Howsley.	Wagstaff.
Hubbard.	Walker.
Hughes.	Weinert.
Jackson.	West of Cameron.
Johnson	Wyatt.
of Dallam.	Young.
Johnson	
of Dimmit.	

Absent.

Adams of Harris.	Holland.
Anderson.	Kayton.
Bedford.	Keller.
Bradley.	Lasseter.
Brooks.	Leonard.
Burns	McCombs.
of McCulloch.	McDougald.
Caven.	McGregor.
Daniel.	Mehl.
DeWolfe.	Metcalfe.
Dwyer.	Nicholson.
Engelhard.	Petsch.
Farrar.	Shelton.
Fisher.	Terrell
Fuchs.	of Val Verde.
Hardy.	Turner.
Harrison	Warwick.
of El Paso.	West of Coryell.
Hefley.	Westbrook.
Herzik.	Wiggs.
Holder.	

Absent—Excused.

Morse.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 249, A bill to be entitled "An Act regulating the slaughter and sale of the meat of animals for market and providing that every person engaged in the occupation of a butcher or slaughterer of cattle in this State, shall file a bond to be approved by the county judge of the county in which he desires to carry on such business, setting out the terms of said bond and providing penalties for violation thereof, and repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 571, A bill to be entitled "An Act to validate the extension of the corporate limits of cities having a population of not less than 15,000 and not more than 20,990, according to the last preceding United States census, either wherein said extension of territory was attempted under statutes providing for the consolidation of cities of more than 5000 population, and wherein in the act of extending said corporate limits said city has included all of the territory of an adjoining city of less than 2000 population, and/or wherein said extension of territory

was attempted under charter provisions which provide for the annexation of adjoining territory without specific reference to the fact that the adjoining territory is included in an incorporated city, and to validate all proceedings, actions, resolutions, elections and ordinances taken or made in reference thereto or pursuant thereto, repealing all laws and parts thereof in conflict herewith to the extent in conflict herewith, and declaring an emergency."

S. B. No. 60, A bill to be entitled "An Act to amend Articles 1847 and 1848, Chapter 3, Title 39, of the Revised Statutes, so as to provide for the filing of records in the order received, for setting the cases for submission, and the notification of parties of the receipt and the date set for hearing, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Reader, Senate bill No. 575 was ordered not printed.

On motion of Mrs. Moore, Senate bill No. 572 was ordered not printed.

On motion of Mr. Satterwhite, House bill No. 1000 was ordered not printed.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 60, to the Committee on Judiciary.

Senate bill No. 153, to the Committee on Criminal Jurisprudence.

Senate bill No. 188, to the Committee on Judicial Districts.

Senate bill No. 196, to the Committee on Appropriations.

Senate bill No. 249, to the Committee on Live Stock and Stock Raising.

Senate bill No. 268, to the Committee on Criminal Jurisprudence.

Senate bill No. 307, to the Committee on Highways and Motor Traffic.

Senate bill No. 333, to the Committee on Highways and Motor Traffic.

Senate bill No. 420, to the Committee on Insurance.

Senate bill No. 483, to the Committee on Appropriations.

Senate bill No. 505, to the Committee on Highways and Motor Traffic.

Senate bill No. 528, to the Committee on State Affairs.

Senate bill No. 548, to the Committee on Criminal Jurisprudence.

Senate bill No. 557, to the Committee on Game and Fisheries.

Senate bill No. 571, to the Committee on Municipal and Private Corporations.

Senate bill No. 578, to the Committee on Criminal Jurisprudence.

Senate bill No. 585, to the Committee on State Affairs.

ADJOURNMENT.

On motion of Mr. Howsley, the House, at 5:40 o'clock p. m., adjourned until 9 o'clock a. m., Wednesday, April 8.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Revenue and Taxation: House bill No. 816.

Criminal Jurisprudence: Senate bills Nos. 159, 219, 261 and 255, and House bills Nos. 658, 880, 995, 1001 and 338.

Insurance: Senate bill No. 26, and House bill No. 950.

Public Lands and Buildings: Senate bill No. 283.

Privileges, Suffrage and Elections: House bill No. 854.

Municipal and Private Corporations: Senate bill No. 572.

The Committee on Education filed an adverse report, with a minority favorable report, on House bill No. 813.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 3, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 336, A bill to be entitled "An Act to amend Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, so as to further regulate the operation of vehicles on the public

highways, etc., and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1002, A bill to be entitled "An Act to amend Articles 1757 and 1846 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency,"

(Relating to filing of briefs in cases in the Supreme Court.)

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 355, A bill to be entitled "An Act to amend Article 3914, Revised Civil Statutes, 1925, relating to fees collected by the Secretary of State, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 981, "An Act to empower cities owning and operating their light systems and gas systems or water systems and gas systems sewer systems and gas systems to encumber any one or more of its gas, water, light, or sewer systems, and income thereof and everything pertaining thereto or any part thereof, and by the terms of such encumbrance to grant to the purchaser under any sale or foreclosure under such encumbrance a franchise to operate said encumbered system or systems for not over twenty years after such purchase; prescribing the purposes for which such powers may be exercised, limiting the manner and

effect of the exercise, providing for the selection of a trustee and his successor to make sale on default in payment; limiting the method of foreclosure and providing for an option of repurchase; prohibiting the encumbrance of such systems for more than five thousand dollars (\$5000), except for purchase money or to refund an existing indebtedness or to repair or reconstruct any one or more of said systems except when authorized by a majority vote of the qualified voters of such city, prohibiting the sale thereof except on said authority, providing for the management and control of said system or systems so encumbered, providing that any one or more of said systems may be so encumbered for the purposes named and for the benefit of said systems or any one of said systems; repealing House bill No. 615 passed by the Forty-second Legislature, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 368, "An Act to amend Article 2592 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 8, "An Act providing that it shall be unlawful for any officer or employe of this State or any other person to build, construct, erect or maintain any building, structure, memorial, monument, statue or concessions within the inclosure around the Capitol ground in the city of Austin, without the authority theretofore given by statute or concurrent resolution by the Legislature of the State of Texas; and prescribing a penalty, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 7, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 294, "An Act amending
Article 6954, Chapter 6, Title 121 of
the Revised Civil Statutes of Texas,
1925, as amended in Chapter 245 of
the Acts of the Regular Session of
the Fortieth Legislature of Texas, as
amended in Chapter 5, of the Acts
of the Regular Session of the Forty-
first Legislature of Texas, and as
further amended in Chapter 71 of the
Acts of the First Called Session of
the Forty-first Legislature of Texas,
the latter being House bill No. 120,
passed by the First Called Session of
the Forty-first Legislature, and fur-
ther amended in Chapter 8, of the
Acts of the Third Called Session of
the Forty-first Legislature, Senate
bill No. 22, with reference to the
mode of preventing horses and cer-
tain other animals from running at
large in the counties named so as to
include in said article the counties
of Aransas, Burleson, Carson, Karnes,
Oldham and Stephens, and declaring
an emergency."

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

THIRTY-NINTH DAY.

(Wednesday, April 8, 1931.)

The House met at 9 o'clock a. m.,
pursuant to adjournment, and was
called to order by Speaker Minor.

The roll was called, and the follow-
ing members were present:

Mr. Speaker.	Burns
Adams of Harris.	of McCulloch.
Adams of Jasper.	Burns of Walker.
Adamson.	Carpenter.
Adkins.	Caven.
Akin.	Claunch.
Albritton.	Coltrin.
Alsup.	Coombes.
Anderson.	Cox of Lamar.
Baker.	Cox of Limestone.
Barron.	Cunningham.
Beck.	Dale.
Bond.	Daniel.
Bounds.	Davis.
Boyd.	DeWolfe.
Bradley.	Dodd.
Brice.	Donnell.
Brooks.	Dowell.
Bryant.	Dunlap.

Dwyer.	McGregor.
Elliott.	Magee.
Engelhard.	Mathis.
Farmer.	Mehl.
Farrar.	Metcalfe.
Ferguson.	Moffett.
Finn.	Moore.
Fisher.	Munson.
Forbes.	Murphy.
Ford.	Nicholson.
Fuchs.	Olsen.
Gilbert.	O'Quinn.
Giles.	Patterson.
Goodman.	Petsch.
Graves.	Pope.
Greathouse.	Ramsey.
Grogan.	Ratliff.
Hanson.	Ray.
Hardy.	Reader.
Harman.	Richardson.
Harrison	Rogers.
of El Paso.	Rountree.
Harrison	Sanders.
of Waller.	Satterwhite.
Hatchitt.	Savage.
Hefley.	Scott.
Herzik.	Shelton.
Hill.	Sherrill.
Hines.	Smith of Bastrop.
Holder.	Smith of Wood.
Holland.	Sparkman.
Holloway.	Stephens.
Hoskins.	Stevenson.
Howsley.	Strong.
Hughes.	Sullivant.
Jackson.	Tarwater.
Johnson of Dallam.	Terrell of Cherokee.
Johnson of Dimmit.	Terrell of Val Verde.
Johnson of Morris.	Towery.
Jones of Atascosa.	Turner.
Jones of Shelby.	Van Zandt.
Justiss.	Vaughan.
Kayton.	Veatch.
Keller.	Wagstaff.
Kennedy.	Walker.
Laird.	Warwick.
Lasseter.	Weinert.
Lee.	West of Cameron.
Lemens.	West of Coryell.
Lilley.	Westbrook.
Lockhart.	Wiggs.
McCombs.	Wyatt.
McDougald.	Young.
McGill.	

Absent.

Duvall.	Martin.
Hubbard.	Steward.
Long.	

Absent—Excused.

Bedford.	Morse.
Leonard.	

A quorum was announced present.

Prayer was offered by the Rev. W.
H. Doss, Chaplain of the Senate.